

**UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF
MINNESOTA**

In re William Shocinski

In re Shocinski · No. 26-31371 · Decided April 28, 2026

OPINION

William Shocinski

PER CURIAM.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

								In
re:	Case	No.	26-31371	William	Shocinski,	Chapter	11	Debtor.

ORDER DISMISSING CASE

This case is before the court¹ on its own initiative. On April 27, 2026, Attorney Yury Suponitsky, I, initiated this case by filing a “Chapter 11 Voluntary Petition for Individuals” through CM/ECF which automatically generated a case number and started this bankruptcy case. What was filed as the petition was actually the List of Creditors who have the 20 Largest Unsecured Claims, which is Official Form 104, and is required to be filed with the petition under Fed. R. Bankr. P. 1007(d). No petition was filed and nothing has been filed as of the time of this order. Pursuant to 11 U.S.C. § 301, a voluntary case is “commenced by the filing with the bankruptcy court of a petition. . .” (emphasis added). Fed. R. Bankr. P. 1002(a) has the same language that a “bankruptcy case is commenced by filing a petition with the clerk.” Requirements of a petition are also included in Fed. R. Bankr. P. 1005(a). The document filed with the court captioned on the docket as the voluntary petition does not meet the requirements of Fed. R. Bankr. P. 1005(a)(2), (a)(3), or (a)(5) at a minimum. Fed. R. Bankr. P. 9009(a) requires the use of the Official Forms in bankruptcy cases. Official Form 101 is the Voluntary Petition for Individuals Filing for Bankruptcy; the Debtor did not use this form to commence this case. ¹ This case was reassigned to the undersigned judge on April 28, 2026. Judge Katherine A. Constantine certifies familiarity with the record and determines that the case may be completed without prejudice to the parties pursuant to Fed. R. Bankr. P. 9028, which makes applicable Fed. R. Civ. P. 63, to the extent such certification is required. Although this case was commenced and a case number was assigned, the Debtor did not meet the requirements to file this case and the filing is considered void ab initio. See *In re Ryan*, 10-83346, 2010 WL 4608277, at *1 (Bankr. C.D. Ill. Nov. 4, 2010). See also *In re Deuel*, 594 F.3d 1073, 77 (9th Cir.2010) (the petition and only the petition commences a bankruptcy case); *In re*

Castro, 158 B.R. 180, 183 (Bankr.C.D.Cal.1993) (the filing of a voluntary petition, not the schedules, commences the case). Based on the record, IT IS ORDERED: This case is dismissed. Dated: April 28, 2026 s/ Katherine A. Constantine Katherine A. Constantine Chief United States Bankruptcy Judge

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